

Applicant: <u>WB Mining, LLC.</u>
Mine Name: <u>Fishtrap Mine</u>
Permit Number: P- <u>3813, 2010 Renewal</u>

STATE OF ALABAMA

SURFACE MINING COMMISSION

- (X) Renewal Application for a Surface Coal Mine
() Renewal Application for an Underground Coal Mine
() Renewal Application for a Preparation Facility

PART I A. IDENTIFICATION

1. PERMIT APPLICANT

Name: WB Mining, LLC
Street Address: 1748 King James Drive
City: Alabaster State: AL Zip: 35007
Mailing Address: 1748 King James Drive
City: Alabaster State: AL Zip: 35007
Telephone Number: (205) 706-4148
Social Security Number (Voluntary): _____
Employer Identification Number: _____
ASMC License#: L-760

2. ENTITY OR PERSON RESPONSIBLE FOR PAYING ABANDONED MINE LAND RECLAMATION FEES

Name: WB Mining, LLC
Street Address: 1748 King James Drive
City: Alabaster State: AL Zip: 35007
Mailing Address: 1748 King James Drive
City: Alabaster State: AL Zip: 35007
Telephone Number: (205) 706-4148
Social Security Number (Voluntary): _____
Employer Identification Number: _____
ASMC License#: L-760

3. IDENTIFY THE OPERATOR FOR THIS MINE IF DIFFERENT FROM THE PERMITTEE

Name: WB Mining, LLC
Street Address: 1748 King James Drive
City: Alabaster State: AL Zip: 35007
Mailing Address: 1748 King James Drive
City: Alabaster State: AL Zip: 35007
Telephone Number: (205) 706-4148
Social Security Number (Voluntary): _____
Employer Identification Number: _____
ASMC License#: L-760

4. CONTACT PERSON FOR PERMIT REVIEW ISSUES AND CORRESPONDENCE

Name: Heath Franks c/o PERC Engineering Co., Inc.
Mailing Address: P. O. Box 1712
City: Jasper State: AL Zip: 35502
Telephone Number: (205) 295-3112

Also Please Copy: **Britt Barnett**
WB Mining, LLC
1748 King James Drive
Alabaster, AL 35007

Applicant: <u>WB Mining, LLC.</u>
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PART I B. OWNERSHIP AND CONTROL

1. PERMIT APPLICANT OWNERSHIP AND CONTROL.

At the time of filing of this application provide an update of all information contained in the applicant's license file or certify that the information contained in the license is accurate and complete. The updated information shall be submitted on Part I A through Part I F of the License application form. Check one of the following:

☐

A license update is included

☒

Information contained in the license file is accurate and complete at the time of filing of this application.
No update is included.

Following notification that the permit appears eligible for issuance, the applicant must certify that all information in this application and the license file pertaining to ownership and control, surface mining history and violation history is still valid or the applicant must submit the appropriate update information.

2. OPERATOR OWNERSHIP AND CONTROL.

If someone other than the permittee has been identified as the operator under this permit, an update of the ownership and control information contained in the operator's license file must be provided or certify that the information contained in the license file is accurate and complete. The updated information shall be submitted on Part I A through Part I F of the License application form. Check one of the following:

☐

A license update is included

☒

Information contained in the license file is accurate and complete at the time of filing of this application.
No update is included.

Following notification that the permit appears eligible for issuance, the applicant must certify that all information in this application and the license file pertaining to ownership and control, surface mining history and violation history is still valid or the applicant must submit the appropriate update information.

3. CONTROL OF MINING OPERATION THROUGH CONTROL OF COAL TO BE MINED.

Provide the information below for any person or entity who owns or controls the coal to be mined under this permit and who by lease, sublease, or other contract:

- A. has the right to receive the coal after mining, or,
- B. has the authority to determine the manner in which the operator or permittee conducts surface coal mining operations.

(USE ADDITIONAL SHEETS IN THE FORMAT BELOW IF NECESSARY)

Not Applicable

Applicant: <u>WB Mining, LLC.</u>
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PART I C. PROPERTY OWNERSHIP, INTERESTS AND RIGHTS

1. OWNERSHIP OF PROPERTY TO BE MINED AND RIGHT OF ENTRY.

INSTRUCTIONS: Show the property ownership boundaries of each parcel of land in the permit area on the permit map or an overlay of the same scale as the permit map. If the surface estate is severed from the mineral estate, show and describe the ownership of each estate separately. In the spaces below, identify:

1. Every current legal or equitable owner(s) of record (as found in a standard search of title) of the property;
2. The holders of record of any leasehold interest in the property; and,
3. Any purchaser of record under a real estate contract of the property.

Describe the basis of the applicant's legal right to enter and Mine on all properties contained in the permit application. If the mineral estate has been severed from the surface estate, describe the basis of the legal right to enter and Mine both the surface and mineral separately. Give the nature of such right (i.e. lease, deed, contract, etc.), where recorded, describe from whom, to whom, and the date executed, and whether that right is the subject of pending litigation.

USE ADDITIONAL SHEETS IN THE FORMAT BELOW AS NECESSARY

Part I C 1 Page 1 of 3

Legal description of property or permit map symbol: Palos, LLC (M) & (FEE)

Surface/Mineral/or Fee Simple (both): Surface, Mineral & Fee

Legal owner(s) of record: Palos, LLC

Address: 2112 7th Avenue South City: Birmingham State: AL Zip: 35233

Holders of leasehold interest: _____

Address: _____ City: _____ State: _____ Zip: _____

Purchasers under a real estate contract: _____

Address: _____ City: _____ State: _____ Zip: _____

Description of right to enter or Mine: _____

Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (if deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
Lease	Palos, LLC	WB Mining, LLC	07/15/02	No

Applicant: WB Mining, LLC.
 Mine Name: Fishtrap Mine
 Permit Number: P- 3813, 2010 Renewal

PART I C 1. (CONTINUED)

Part I C 1 Page 2 of 3

Legal description of property or permit map symbol: _____
K & H Development Co., Inc. (S)
 Surface/Mineral/or Fee Simple (both): Surface
 Legal owner(s) of record: K & H development Co., Inc.
 Address: 2112 7th Avenue South City: Birmingham State: AL Zip: 35233
 Holders of leasehold interest: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Purchasers under a real estate contract: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Description of right to enter or Mine:
 Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (if deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
Lease	K & H Development Co., Inc.	WB Mining, LLC	07/15/02	No

Legal description of property or permit map symbol: _____
Drummond Company, Inc. (M)
 Surface/Mineral/or Fee Simple (both): Mineral
 Legal owner(s) of record: Drummond Company, Inc.
 Address: P.O. Box 1549 City: Jasper State: AL Zip: 35502
 Holders of leasehold interest: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Purchasers under a real estate contract: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Description of right to enter or Mine:
 Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (if deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
Lease	Drummond Coal Company, Inc.	WB Mining, LLC	03/06/03	No

Applicant: WB Mining, LLC.
 Mine Name: Fishtrap Mine
 Permit Number: P- 3813, 2010 Renewal

PART I C 1. (CONTINUED)

Part I C 1 Page 3 of 3

Legal description of property or permit map symbol: USX Corp. (S)
 Surface/Mineral/or Fee Simple (both): Surface
 Legal owner(s) of record: USX Corp.
 Address: 600 Grant St. City: Pittsburgh State: PA Zip: 15219
 Holders of leasehold interest: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Purchasers under a real estate contract: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Description of right to enter or Mine:
 Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (if deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
Lease	USX Corp.	WB Mining, LLC	04/30/03	No

Legal description of property or permit map symbol: _____
West Jefferson Minerals(M)/U.S. Steel Corp.-Pratt Seam only
 Surface/Mineral/or Fee Simple (both): Mineral
 Legal owner(s) of record: West Jefferson Minerals
 Address: 2112 7th Avenue South City: Birmingham State: AL Zip: 35233
 Holders of leasehold interest: U.S. Steel Corp
 Address: P.O. Box 599 City: Fairfield State: AL Zip: 35064
 Purchasers under a real estate contract: _____
 Address: _____ City: _____ State: _____ Zip: _____
 Description of right to enter or Mine:
 Describe the type of document or conveyance which grants the right of entry, disturbance or mining. Indicate from whom the right was acquired and to whom the right was granted. If the grantor of the right is not the owner(s) of property, identify all grantors and grantees of the right beginning with the owner(s) and ending with the permit applicant.

Describe Right of Entry (if deed indicate where recorded):	Granted From:	Granted To:	Date Granted:	Litigation Pending? (Yes or No) If yes, explain.
Lease	West Jefferson Minerals, Inc	WB Mining, LLC		No
Lease	U.S. Steel Corp.	WB Mining, LLC		No

Applicant:	<u>WB Mining, LLC.</u>
Mine Name:	<u>Fishtrap Mine</u>
Permit Number:	<u>P- 3813, 2010 Renewal</u>

PART I C. (CONTINUED)

2. OWNERSHIP OF SURFACE AND MINERAL LANDS CONTIGUOUS TO THE AREA TO BE MINED.

INSTRUCTIONS: Provide the information below for the owners of record of all surface and mineral properties contiguous to any part of the proposed permit area.

USE ADDITIONAL SHEETS AS NECESSARY IN THE FORMAT BELOW

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PAGE 1 OF 1

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Name: Palos, LLC
Address: 2112 7th Avenue South
City: Birmingham State: AL Zip: 35233
Interest owned (Surface, Coal or Fee Simple): Surface
Coal & Fee Simple
Type of Interest (Owner, Lease , or Other): Owner

Name: K & H Development Co., Inc.
Address: 2112 7th Avenue South
City: Birmingham State: AL Zip: 35233
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease , or Other): Owner

Name: Drummond Company, Inc.
Address: P.O. Box 1549
City: Jasper State: AL Zip: 35502
Interest owned (Surface, Coal or Fee Simple): Mineral
Type of Interest (Owner, Lease , or Other): Owner

Name: USX Corp.
Address: 600 Grant Street
City: Pittsburgh State: PA Zip: 15219
Interest owned (Surface, Coal or Fee Simple): Surface
Type of Interest (Owner, Lease , or Other): Owner

Name: West Jefferson Minerals
Address: 2112 7th Avenue South
City: Birmingham State: AL Zip: 35233
Interest owned (Surface, Coal or Fee Simple): Mineral
Type of Interest (Owner, Lease , or Other): Owner

Name: U.S. Steel Corp.
Address: P.O. Box 599
City: Fairfield State: AL Zip: 35064
Interest owned (Surface, Coal or Fee Simple): Mineral
Type of Interest (Owner, Lease , or Other): Owner

Applicant: WB Mining, LLC.
Mine Name: Fishtrap Mine
Permit Number: P- 3813, 2010 Renewal

PART I C. (CONTINUED)

3. INTERESTS OR PENDING INTERESTS IN LANDS CONTIGUOUS TO THE PERMIT AREA
INSTRUCTIONS:

Give the legal description of all lands contiguous to the permit area for which the permit applicant:

1. Holds an interest,
2. Holds an option, or
3. Has made a bid for ownership, lease or other interest.

USE ADDITIONAL SHEETS AS NECESSARY IN THE FORMAT BELOW

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PAGE __ OF ____ Not Applicable

=====

Legal description: _____

Describe the nature of the interest: _____

=====

Legal description: _____

Describe the nature of the interest: _____

=====

Legal description: _____

Describe the nature of the interest: _____

=====

Legal description: _____

Describe the nature of the interest: _____

=====

Legal description: _____

Describe the nature of the interest: _____

=====

Legal description: _____

Describe the nature of the interest: _____

Applicant: <u>WB Mining, LLC.</u>
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PART I D. PERMIT AREA INFORMATION

1. Term Information

- a. Date original permit or subsequent renewal expires: 12/5/2010
- b. Term or original permit or subsequent renewal: 5 years
- c. Requested term of this permit renewal: 5 years
- d. Sequence number of this renewal: 1

2. Give the legal description of the land upon which the applicant proposes to conduct surface coal mining operations pursuant to this renewal. List each quarter-quarter section, section, township, range, and county.

NW/NW, NE/NW, SE/NW, SW/NW, NW/SW of Section 3; SW/SE, NE/SW, SE/NW, SW/NE, NW/SE, SW/SE, NE/SE, SE/NE, NE/NE, SE/SW of Section 4, Township 17 South, Range 5 West, Jefferson County, Alabama.

3. Give the acreage of the permit renewal, each increment and the type of bonding.

- a. Total permit renewal acreage: 197 acres
- b. Give the acreage and type of bond for each mining increment:

<u>Increment</u>	<u>Acres</u>	<u>Type Bond Proposed</u>
1.	<u>49</u>	<u>Phase I Bond Release</u>
2.	<u>56</u>	<u>Phase I Bond Release</u>
3.	<u>0</u>	
4.	<u>32</u>	<u>Certificate of Deposit</u>
5.	<u>45</u>	<u>Certificate of Deposit</u>
6.	<u>15</u>	<u>Certificate of Deposit</u>

NOTE: (Areas that may be included in the renewal of a permit may include that part of the permit which has not been disturbed by mining and those incidental areas necessary to facilitate the mining operations. For underground mining, existing surface areas contained in the permit may be included in the renewal of a permit. No new acres may be added to the permit as a part of this renewal)

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Mine Name:	Fishtrap Mine
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PART I D. (CONTINUED)

5. List all other licenses and permits required to conduct mining operations including, but not limited to, MSHA I.D. and NPDES. Give the identification or permit number, the name and address of the issuing authority, and the status or date of approval or issuance of each:

Permit	ID or Permit Number	Issuing Authority	Address	Status or of issuance
<u>MSHA ID</u>	<u>01-03182</u>	<u>MSHA</u>	<u>*</u>	<u>03-05-02</u>
<u>NPDES</u>	<u>AL0073075</u>	<u>ADEM</u>	<u>**</u>	<u>02-01-02</u>

* 135 Gemini Circle, Suite 213, Birmingham, AL 35209

** 1400 Coliseum Blvd., Montgomery, AL 36110-2059

6. Did the applicant receive assistance from the Small Operator Assistance program in preparing this application?

() YES (X) NO.

If YES, list SOAP I.D. Number: _____

7. Submit a certificate of proof of Liability Insurance with this application. (See ASMC Master File)

8. Describe any changes at the mining operation (on-site) which are different from the information given in the original permit application, earlier renewals, or revisions. Examples of such changes would be: previously undetected conditions which are creating adverse environmental effects, changes in the permit application such as the operating plan, reclamation timetable, or post-mining land use. In the case of underground mining operations, the anticipated underground development planned for the term of the renewal shall be described along with a subsidence control plan for the area. This plan is to be in the format of the subsidence control plan found in the permit application. None

PART I E. PUBLIC NOTICE AND AVAILABILITY FOR INSPECTION

12. Give the name of the approved public office in which a copy of this application will be filed for public inspection following notification of completeness: _____

ASMC website <http://surface-mining.alabama.gov/PermitApplications.html>

13. Enclose a copy of the notice of filing of this application which will appear in a newspaper of general circulation in the vicinity of the mine and identify the name of the newspaper: The Birmingham News. See Attachment for I.E.13.

Applicant:	WB Mining, LLC.
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Attachment I.E.2

NOTICE OF APPLICATION TO RENEW A PERMIT FOR A SURFACE COAL MINE

Pursuant to Rule 880-X-8M.08, WB Mining, LLC, 1748 King James Drive, Alabaster, Alabama 35007, hereby gives notice that it has filed an application to renew permit P-3813-01-10-S for its Fishtrap Mine located in the NW/NW, NE/NW, SE/NW, SW/NW, NW/SW of Section 3; NE/SW, SE/NW, SW/NE, NW/SE, SW/SE, NE/SE, SE/NE, NE/NE, SE/SW of Section 4, Township 17 South, Range 5 West, Jefferson County, Alabama, for a period of five (5) years.

A copy of the permit revision application is available for public inspection at the Alabama Surface Mining Commission website <http://surface-mining.alabama.gov/PermitApplications.html>. Written comments, objections, or requests for informal conferences should be submitted to the Alabama Surface Mining Commission, P.O. Box 2390, Jasper, Alabama 35502-2390, within 30 days from the last publication of this notice.